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IN THE HIGH COURT OF JUDICATURE OF BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO. 2586 OF 2007

Mahesh Pandurang Dange .. Applicant

versus

State of Maharashtra .. Respondent

...

Mr.J.Shekhar for the applicant.

Ms.Rajeshree M. Gadhavi APP for the State.

CORAM : D.G.KARNIK, J

DATED : 20th November 2007

P.C.:

1. The applicant is alleged to have committed an offence punishable under section 403, 408, 467, 468 and 471 r/w sec.34 of the IPC. First Information Report about the alleged commission of the offence was lodged by the employer on 13th February 2007. Police thus had sufficient time for carrying out the investigation. Yet, till this date, charge-sheet has not been filed against the applicant.

2. By an order dated 8th August 2007, this court, by an interim order, directed that the applicant could be released on bail for Rs.20,000/-

in the event of his arrest. Time was granted to the State to take instructions. In the affidavit in reply dated 3rd September 2007, filed on behalf of the State it is stated that custodial investigation is necessary. However it is not clarified that for what purpose Custodial Interrogation is required. It is not stated that applicant is not co-operating with the investigation and/or is not attending the police station whenever required. Considering the nature of the offence and the time lag between the commission of alleged offence till date and the previous interim protection granted by the court, I pass the following order:-

O R D E R

. In the event of arrest of applicant in connection with the C.R. No.76 of 2007 of the Deccan Police Station, he shall be released on bail in the sum of Rs.20,000/- with one surety in the like amount subject to the following conditions.

i) The applicant shall not tamper with the evidence nor shall he make any inducement to witnesses nor pressurise the witnesses. The applicant shall attend the police station as and when required by the police for investigation.

Application is disposed of accordingly.

(D.G. KARNIK, J)